

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
SOUTHEASTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 1:22 CR 10 RWS
	)	
JAMAL SILK CLAYBORNE,	)	
	)	
Defendant.	)	
	)	

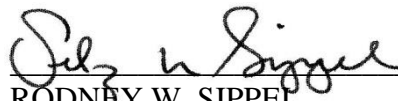
**MEMORANDUM AND ORDER**

This closed criminal case is before the Court on defendant's motion to receive a copy of his sentencing transcript without payment of costs. ECF 53. Defendant was sentenced on February 22, 2023. ECF 40, 41. He did not appeal, nor did he file a motion to vacate his sentence under 28 U.S.C. § 2255. In the motion presently before the Court, defendant claims that he needs the transcript "to prove" that the Court "sentenced him to 14 months jail time credit," which he has not received. Defendant is mistaken, as his sentence does not include jail time credit. In fact, the words "jail time credit" were never mentioned by the Court or the parties during defendant's sentencing hearing. Defendant's judgment correctly reflects his sentence of 42 months, a *substantial* variance given his Guidelines range of 70-87 months, to run concurrently with any sentence imposed in Circuit Court, Butler County, Missouri, under Docket Nos.: 21BT-CR00565-01, 21BT-CR01367-01, and 21BT-CR00642-01, plus three years of supervised release. ECF 41. And as defendant has no appeal or § 2255 motion pending, there is no authority to order the court reporter to provide defendant a copy of the sentencing transcript in this closed case without payment of costs. *See* 28 U.S.C. § 753(f). The Court is informed that defendant's mother has already ordered the sentencing transcript from the court reporter, so defendant should

contact his mother about viewing his transcript, which confirms that his sentence does not include any jail time credit. Finally, to the extent defendant's motion is construed as a request to order that he receive 14 months jail time credit, it is denied for the reasons stated above.

Accordingly,

**IT IS HEREBY ORDERED** that defendant's motion [53] is denied.

  
\_\_\_\_\_  
RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE

Dated this 5th day of February, 2025.